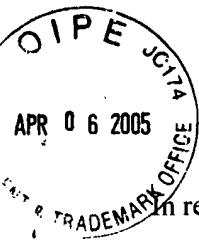


THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
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7/17/05



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Mitsuaki OSHIMA et al.

Serial No. 10/772,352

Filed February 6, 2004

DATA PROCESSING APPARATUS

: Confirmation No. 5048

: Atty Docket No. 2004_0198

: Group Art Unit 2115

: Examiner D. Butler

: Mail Stop: AF

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PATENT OFFICE FEE TRANSMITTAL FORM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2115**

Attached hereto is a check in the amount of \$110.00 to cover Patent Office fees relating to filing the following attached papers:

Terminal Disclaimer Under Rule 321 \$110.00

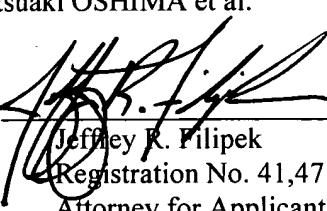
A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Mitsuaki OSHIMA et al.

By


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April 6, 2005

[Check No. 67578]

2004_0198



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RESPONSE

Commissioner for Patents
P.O. Box 1450
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RESPONSE UNDER 37. CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 2115

Sir:

This paper is in response to the Final Office Action mailed March 28, 2005.

Claims 29-31 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 8 of U.S. Patent No. 6,804,791.

A Terminal Disclaimer is filed concurrently herewith as a simple expedient to obviate the double patenting rejection. Accordingly, it is submitted that the double patenting rejection has been overcome.

The Terminal Disclaimer is intended simply to serve the statutory function of removing the double patenting rejection and is not meant to raise a presumption or estoppel on the merits of the double patenting rejection asserted by the Examiner.

Applicants traverse the rejection of claims 29-31 as being obvious over claims 1 and 8 of U.S. Patent 6,804,791 for the following reasons.

The Examiner asserts that "the external processor and block of claims 30 and 31 correspond to the functions performed by the first processing section in claim 1 of the patent." The Examiner also correctly points out that claims 29-31 broadly recite the invention directed mainly to the CPU/processor (as opposed to the first and second processing sections recited in the patent). In the